

PROB 12B
(7/93)

United States District Court
for the
WESTERN DISTRICT OF TEXAS

FILED

2017 AUG -7 PM 12: 02

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY SM
DEPUTY CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation form 49, Waiver of Hearing is Attached)

Name of Offender: Serene Adrianna Diaz

Case Number: DR-16-CR-01365(2)- AM

Name of Sentencing Judicial Officer: Honorable Alia Moses, United States District Judge

Date of Original Sentencing: June 12, 2017

Original Offense: Conspiracy to Transport Illegal Aliens, in violation of 8 U.S.C. § 1324

Original Sentence: 8 months imprisonment; 3 years supervised release; \$1,000 fine and \$100 special assessment.

Type of Supervision: Supervised Release

Date Supervision Commenced: June 12, 2017

PREVIOUS COURT ACTION

None

PETITIONING THE COURT

X To modify the conditions of supervision as follows:

Special Condition: The defendant shall participate in an inpatient substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant has reverted to the use of drugs. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). During treatment, the defendant shall abstain from the use of alcohol and any and all intoxicants. The defendant shall pay the costs of such treatment if financially able.

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CAUSE

Ms. Diaz has a history of Methamphetamine, Marijuana, and Alcohol use. She advised she has not used marijuana and methamphetamine since 2003, and last used alcohol prior to her arrest for the instant offense. Ms. Diaz has no prior criminal history.


Ms. Diaz has been on supervised release for approximately 43 days. On June 26, 2017, she missed her drug and mental health intake appointment at The Center for Health Care Services. On June 20, and June 27, 2017, Ms. Diaz submitted urine specimens that tested positive for amphetamines. Additionally on July 21, 2017, Ms. Diaz failed to report for random drug testing. On July 19, 2017, Ms. Diaz signed the admit/deny form admitting she took her sister's prescription medication Adderall.

The United States Probation Office respectfully recommends no action be taken at this time in order to allow Ms. Diaz to participate in an inpatient substance treatment program. The purpose of the inpatient treatment is to provide a safe and stable environment where Ms. Diaz can focus on her recovery and develop a positive support system. Ms. Diaz is in agreement and has signed a Probation form 49, which is attached.


Should Ms. Diaz incur any more violations of her conditions of supervised release, the court will be promptly notified.

Approved:

Respectfully submitted,



Jacqueline Duffner
Supervising U.S. Probation Officer



Virginia Verdin
U.S. Probation Officer
Date: July 25, 2017
Telephone#: 210-472-6590, ext.5348

cc: Marc S. Martinez
Assistant Deputy Chief Probation Officer


THE COURT ORDERS:

☐ No Action

☐ The extension of supervision as noted above.

☒ The modification of conditions as noted above.

☐ Other: _____


Honorable Alfa Moses
United States District Judge

8-7-17

Date

PROB 49
(3/89)

**United States District Court
Western District of Texas**

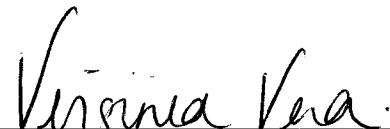
**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

The defendant shall participate in an inpatient substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant has reverted to the use of drugs. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). During treatment, the defendant shall abstain from the use of alcohol and any and all intoxicants. The defendant shall pay the costs of such treatment if financially able.

Witness:



Virginia Verdin
U.S. Probation Officer

Signed:



Serene Adrianna Diaz
Probationer or Supervised Releasee

July 24, 2017
Date